

SANTA MONICA MOUNTAINS CONSERVANCY

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November 20, 2006

Craig Malin, Case Planner
Planning Division
Resource Management Agency
County of Ventura
800 South Victoria Avenue
Ventura, California 93009

**Comments on Project Number LU06-0124, Construction of Single Family Home,
Attached Garage, and Horse Barn, 10655 Pacific View Road,
Serrano Canyon Watershed**

Dear Mr. Malin:

The Santa Monica Mountains Conservancy (Conservancy) thanks for you notifying our agency of this proposed project. We would like to take this opportunity to proactively provide comments on this project, even though this may not be during the official California Environmental Quality Act (CEQA) public review period. We recommend that the minimum level of CEQA review consist of a Mitigated Negative Declaration (MND), with a thorough analysis of growth-inducing and cumulative impacts, including appropriate mitigation measures. The fact that this parcel is designated as open space in the General Plan is another reason supporting the justification for at least a MND.

As background, the Conservancy is the principal state agency charged with planning and conservation for the Santa Monica Mountains Zone pursuant to Division 23 of the Public Resources Code. The subject project is located within the Conservancy zone. One parcel separates the subject properties from parkland to the west, owned by Mountains Recreation and Conservation Authority (MRCA), the Conservancy's joint powers partner. Point Mugu State Park adjoins the property to the north, and Deer Creek Park is just south of the project site. There is habitat connectivity, and potential for wildlife movement, between Deer Creek Park and Point Mugu State Park, through the project site. As such, we are interested in how development in this area affects existing open space and parkland, and the associated biological and visual resources in the area.

We acknowledge and appreciate the applicant's efforts to site the road to avoid impacts to oak trees. At this point, we are most interested in assuring that the CEQA review considers

all growth-inducing and cumulative impacts for the subject project. We understand that single-family homes are often considered to be exempt from CEQA by lead agencies. However, additional CEQA review is required if there is potential for significant, adverse environmental impacts, or if significant, adverse impacts result from cumulative projects impacts of successive similar projects. In this case, the subject road provides access not only to the parcel where the house is proposed (Assessor's Parcel Number [APN] 701-0-050-215), but to at least two other parcels through which the road passes (APNs 701-0-050-205 and 225). (The information provided to us by the County indicates that these three parcels, plus an additional parcel to the east [APN 701-0-050-195] all have the same owner.)

The proposed road provides (i.e., facilitates) access to at least two additional parcels, and the environmental document should include an analysis of the environmental impacts associated with building on all three parcels, and on any additional parcels that would be provided additional access. (The impacts from construction of homes on the additional parcels could either be considered cumulative or growth-inducing, depending on how one interprets it. Either way, the comprehensive impacts should be analyzed in one CEQA document.) If exact locations of building pads have not yet been determined, existing information (e.g., topography, distance to proposed road, presence of disturbed areas, locations of sensitive vegetation, etc.) can be used to estimate locations. In this case, there is the potential for significant, adverse environmental impacts, and CEQA exemptions do not apply.

Specifically, this growth-inducing and cumulative impact analysis should include a thorough analysis of impacts resulting from the construction of the road and three homes on biological resources, including impacts to wildlife movement and vegetation types. Fuel modification associated with single-family home compounds can lead to substantial vegetation loss, and the fuel modification from the three homes and road must be fully included in the analysis. The comprehensive CEQA document should also provide an analysis of viewshed impacts to existing trails and public parkland in the area, as well as an analysis of water quality impacts.

If a comprehensive analysis is not done in one CEQA document, then the analysis of environmental impacts is piece-mealed, contrary to the intent and spirit of CEQA. For example, three exemptions may be done for three homes, within minimal environmental analysis, while the road actually facilitates the development on at least two additional parcels.

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Due to the ecologically valuable location of the subject properties (e.g., parkland in three directions) and the presence of sensitive biological resources on the parcels (e.g., coastal sage scrub, oak trees, potential habitat for rare plants, etc.), conservation easements should be offered over the undisturbed portions of the three parcels to prevent future disturbance. It would be appropriate to offer such conservation easements to MRCA, State Parks, or the National Park Service, and to the County of Ventura.

Specifically this (or these) conservation easement(s) should prohibit development, structures, roads, grading, mineral extraction, grazing, vineyards, corrals, agricultural operations, planting of non-native vegetation, fencing (other than used for habitat restoration), lighting, and utilities. Uses that should be allowed in this conservation easement include public trails (no greater than five-feet-wide) and habitat restoration.

If the applicant asserts that the other parcels through which the road passes will not be developed in the future, then it is important to require conservation easements over all three parcels, excluding of the location of the road and the one subject house. This would prevent any future development of the two additional parcels, or any additional development on the most distal parcel, thus preventing the piece-meal analysis of environmental impacts.

Please note that we are raising these issues of growth-inducing impacts to you formally in this letter because we are aware of many cases in the Los Angeles County portion of the Santa Monica Mountains where a proposed road for a proposed house has been approved, and that road also provides access to several other parcels owned by the same applicant. Those projects are often considered as just the one home and road, without an adequate level of environmental review for the anticipated growth-inducing impacts. Ventura County can take a leadership role in land protection by eliminating this loophole.

The Conservancy also recommends that the County add conditions prohibiting lighting and fencing along the access road. Fencing and lighting along the long access road proposed to be improved would likely hinder wildlife movement and must not be permitted.

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Thank you for your early consideration of these comments. Please direct any questions and all future correspondence to Judi Tamasi of our staff at the above address and by phone at (310) 589-3200, ext. 121. Please provide any additional CEQA documents to Ms. Tamasi, when they become available for public review.

Sincerely,

ELIZABETH A. CHEADLE
Chairperson